

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

NAJMAH TORRES-JUSTINIANO; and
TAMIKA PARKER as Next Friend of
R.T., a minor child, as Wrongful Death
Representatives of Jose Torres.

PLAINTIFFS,

v.

CORECIVIC d/b/a “TROUSDALE
TURNER CORRECTIONAL
FACILITY,” TROUSDALE COUNTY,
TENNESSEE; a Tennessee municipality;
WARDEN MARTEN FRINK, in his
individual capacity; LYBRUNCA
COCKRELL, in her individual capacity;
TALBERT JEFFERSON, in his individual
capacity; and JACQUELINE NORMAN,
in her individual capacity,

DEFENDANTS.

Case No. 3:23-cv-00191
District Judge Eli J. Richardson
Magistrate Judge Jeffery S. Frensley

JURY TRIAL DEMANDED
PURSUANT TO FED. R. CIV.
PRO. 38(a) & (b)

**PLAINTIFF’S MOTION TO MODIFY CASE MANAGEMENT ORDER [ECF NO. 52]
DUE TO DEPARTMENT OF JUSTICE INVESTIGATION INTO DEFENDANT**

COME NOW, Plaintiffs Najmah Torres-Justiniano and Tamika Parker, as Next Friend of R.T. a Minor Child, as Wrongful Representatives of Jose Torres (“Plaintiffs”) and Defendants CoreCivic, Inc., Trousdale County, Tennessee, Lybrunca Cockrell, Martin Frink, Talbert Jefferson, and Jacqueline Norman (collectively the “Parties”), by and through counsel of record and pursuant to Federal Rule of Civil Procedure 16(b)(4), and hereby file this *Motion to Modify Case Management Order [ECF No. 52]*, and in support thereof state as follows:

1. On June 3, 2024, the Parties participated in a Case Management Conference by telephone with Magistrate Judge Jeffery S. Frensley, during which the Parties orally sought a 120-

day extension for all remaining deadlines in the original case management order, ECF 45.

2. On June 11, 2024, this Court granted the joint motion and set new deadlines as follows:

- **COMPLETION OF DISCOVERY – Monday, September 9, 2024**
- **CASE RESOLUTION PLAN AND JOINT STATUS REPORTS – Monday, September 23, 2024**
- **DISCLOSURE AND DEPOSITIONS OF EXPERTS:**
 - **PLAINTIFF – Friday, November 8, 2024**
 - **DEFENDANTS – Friday, January 24, 2025**
- **COMPLETION OF EXPERT DEPOSITIONS – Monday, March 24, 2025**
- **DISPOSITIVE MOTIONS – Monday, April 21, 2025**

3. On August 16, 2024, Judge Trauger unsealed a plethora of CoreCivic documents related to the operation of their facilities, including Trousdale Turner, disclosed during a shareholder derivative action. *Grae v. Corrections Corp. of America, Inc.*, 3:16-cv-02267, ECF 515 (M.D. Tenn. 2024).

4. On August 20, 2024, the United States Department of Justice announced an investigation into the CoreCivic and the Trousdale Turner Correctional Facility. See Exh. 1, Press Release from Department of Justice.

5. Plaintiff's counsel learned of the Department of Justice investigation approximately ten (10) days ago.

6. The investigation specifically relates to inmate-on-inmate violence in Trousdale Turner, the facility in which the Decedent was killed by his cellmate.

7. Plaintiff's counsel consulted with counsel for Defendant regarding the extension of discovery deadlines on September 4, 2024, and Defendant opposes any extension as untimely sought.

8. Plaintiff seeks to extend the discovery deadline in this matter by forty-five (45) days in order to take a 30(b)(6) deposition of Defendant CoreCivic and to propound written discovery specifically related to the recently unsealed documents and the Department of Justice investigation.

9. No party will be prejudiced by the relief sought. As required by Local Rule 16.01(h)(1), the deadlines for dispositive motions, including response and reply briefs, remain more than 90 days in advance of the trial date.

CONCLUSION

For the foregoing reasons, the Parties respectfully request that this Court modify the current Case Management Order (ECF #52), by extending the discovery deadline by forty-five (45) days as set forth above.

Respectfully submitted,

/s/Brice M. Timmons

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CERTIFICATE OF CONSULTATION

I HEREBY certify that I consulted with counsel for Defendants regarding the relief sought in this motion by teleconference on the 4th day of September 2024, and that Defendant opposes the relief sought herein.

/s/Brice M. Timmons

CERTIFICATE OF SERVICE

I HEREBY certify that a true and exact copy of the foregoing has been served to the following parties via this Court's ECF filing system this 9th day of September 2024:

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/s/Brice M. Timmons